

## REMARKS

This Amendment and Request for Reconsideration is filed in response to the Office Action of 11 August 2006. The present Amendment amends claims 1 and 10; no claims have been added or canceled. The Applicants respectfully submit that no new matter has been entered and that the claim amendments are fully supported in the application as originally filed. The Applicants respectfully request entry of this amendment and reconsideration of the application as amended.

*In the Office Action of 11 August 2006, the Examiner rejected claims of the patent application under 35 U.S.C. § 103(a) as being unpatentable over McElwain et al. (U.S. Patent Application Publication No. 2003/0022689A1) in view of Hicks et al. (U.S. Patent No. 7,027,813 A1). In response, the Applicants respectfully disagree with the rejections and submit that all pending claims are allowable over the prior art of record for at least the following reasons.*

For a proper rejection under 35 U.S.C. § 103(a), the prior art in combination must teach or suggest each and every limitation of the claims. In addition, there must be an adequate suggestion or motivation to combine the teachings of the references.

The prior art in combination in the Examiner's rejection fails to teach or suggest each and every limitation of the claims. For one, the prior art in combination fails to teach or suggest the technique of *visually displaying a plurality of network identifiers corresponding to the scanned available networks for a manual network selection procedure*. In accordance with the present disclosure, these visually displayed network identifiers for the manual network selection procedure are retrieved in accordance with Enhanced Operator Name String (EONS) protocol. See e.g. claim 1 as amended.

Regarding these limitations, the Examiner makes reference to paragraphs 54 and 56 of McElwain et al. However, such claim limitations are not taught nor suggested in McElwain et al. At paragraph 56 of McElwain et al., a conventional method for roaming control which is referred to as a "Preferred System Selection" is provided. The Preferred System Selection technique may be viewed as an *automatic network selection procedure*,

where *selection preferences* are merely established by the end user. Just because McElwain et al. states that “the user typically controls the system preference and mode operation through menu choice or selection” does not mean that such technique is a manual network selection procedure. As one ordinarily skilled in the art would readily appreciate, in a manual network selection procedure, the user is able to *manually select* a desired network from a list of available networks which are visually displayed by the mobile station. In response to the end user manual selection of the desired network, the mobile station *registers with the selected network*. Any other interpretation of such terminology would not be reasonable.

At paragraph 54 of McElwain et al., it is stated that “mobile station 10 may provide a visual or other display to inform the user of the *current service provider status*.” However, this section does not teach a plurality of network identifiers that are visually displayed based on the scanned available networks for a manual network selection procedure. Rather, this teaching relates to the network identifier that is displayed merely for a *currently registered network*.

Relatedly, the prior art in combination further fails to teach or suggest the acts of (e.g. see claim 1 as amended) “receiving, through a user interface of the mobile station, an end user input to perform a manual network selection procedure,” and “in the manual network selection procedure” to “receive, through the user interface, a user input selection of one of the identified communication networks as represented by the plurality of network identifiers being visually displayed.” Again, in accordance with the present disclosure, these *visually displayed network identifiers for the manual network selection procedure are retrieved in accordance with the EONS protocol*. As a result, two or more substantially identical network identifiers may be displayed simultaneously. The Examiner uses the EON protocol teachings of Hicks et al. to combine with the teachings of McElwain et al. in the rejection. Again, however, as submitted above, McElwain et al. do not even teach or suggest the use of manual network selection procedure as claimed. Even if McElwain et al. taught the use of the manual network selection procedure as claimed, the combination of McElwain et al. and Hicks et al. would fail to result in that

which is claimed. At most, the combined teachings would result in an EONS protocol to be utilized in McElwain et al. in a conventional manner.

If the Examiner is making any inherency arguments, the Examiner has failed to establish a *prima facie* case under 35 U.S.C. § 103(a) since any inherent teachings must necessarily be present in the prior art and the Examiner must articulate reasoning related to the same. The Applicant respectfully submits that such teachings as claimed are not present in the prior art of record.

Finally, it is not clear that one ordinarily skilled in the art would make reference to GSM-related technology (e.g. the EONS protocol of Hicks et al.) and incorporate it into an unrelated AMPS-related technology (e.g. alphatag usage of Elwain et al.). This incompatibility would appear to indicate that there would be little or no suggestion or motivation to combine these teachings.

Based on the above, the Applicant respectfully requests the Examiner to withdraw all § 103 rejections and allow all claims 1-24 as amended. The Applicant respectfully submits that the present application is now in a condition suitable for allowance based on the claim amendments and arguments presented herein.

Thank you. The Examiner is welcome to contact the undersigned if necessary to expedite prosecution of the present application.

Respectfully submitted,

/John J. Oskorep/

JOHN J. OSKOREP

Reg. No. 41,234

JOHN J. OSKOREP, ESQ. LLC  
ONE MAGNIFICENT MILE CENTER  
980 N. MICHIGAN AVENUE, SUITE 1400  
CHICAGO, ILLINOIS 60611

Telephone: (312) 222-1860 Fax: (312) 475-1850